

AUG. 25. 2003

3:23PM


858 792-6773 FOLEY AND LARDNER

NO. 4057 P. 2

Atty. Dkt. No. DALHO 290-1  
(028614-1102)26/ Reg order  
1.114

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Sawynok et al.  
Title: ANTIDEPRESSANT  
COMPOSITIONS USEFUL  
FOR LOCAL ANALGESIA (as  
amended)  
Appl. No.: 09/700,625  
Appl. Filing Date: 02/01/2001  
Examiner: T. Page  
Art Unit: 1615

|   |
|---|
| <b>CERTIFICATE OF FACSIMILE TRANSMISSION</b><br>I hereby certify that this paper is being facsimile<br>transmitted to the United States Patent and Trademark<br>Office, Alexandria, Virginia on the date below.<br><br>Stephen E. Reiter<br>(Printed Name)<br><br><br>(Signature)<br><br>August 25, 2003<br>(Date of Deposit) |
|---|

Bet  
8-27-03FAX RECEIVED  
AUG 26 2003  
GROUP 1600REQUEST FOR CONTINUED EXAMINATION (RCE)  
TRANSMITTAL

Mail Stop RCE  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

OFFICIAL

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. § 141, or the commencement of a civil action under 35 U.S.C. § 145 or § 146 (unless the appeal or civil action is terminated).

1. Submission required under 37 C.F.R. § 1.114: (check items that apply)

a. Previously submitted:

- ☒ Please enter and consider the amendment/reply previously filed on  
July 22, 2003.
- ☐ Please consider the Affidavit(s)/Declaration(s) previously filed on \_\_\_ but not  
considered.

09/27/2003 09:23:20 00000002 00037E 09700625

02 FC:2001 375.00 20

-1-

Atty. Dkt. No. DALHO1290-1  
(028614-1102)

☐ Please consider the arguments in the Appeal Brief or Reply Brief under 37 C.F.R. § 1.116 previously filed on \_\_\_\_.

☐ Other \_\_\_\_.

b. Enclosed are:

☐ Amendment/Reply.

☐ Affidavit(s)/Declaration(s).

☐ Information Disclosure Statement.

☐ Form PTO-1449 with copies of \_\_\_\_ listed reference(s).

☒ Other .Petition for Extension of Time

Miscellaneous:

☐ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_ months.

The filing fee is calculated below:

|  | Claims<br>as<br>Amended |   | Previously<br>Paid For |   | Extra<br>Claims<br>Present |   | Rate     |   | Fee Totals |
|--|-------------------------|---|------------------------|---|----------------------------|---|----------|---|------------|
| RCE Fee<br>1.17(e)                                   |                         |   |                        |   |                            |   | \$750.00 |   | \$750.00   |
| Total Claims:  | 26                      | X | 71                     | = | 0                          | x | \$18.00  | = | \$0.00     |
| Independents:  | 6                       | X | 6                      | = | 0                          | x | \$84.00  | = | \$0.00     |
| First presentation of any Multiple Dependent Claims: |                         |   |                        |   |                            | + | \$280.00 | = | \$0.00     |
| CLAIMS FEE TOTAL:                                    |                         |   |                        |   |                            |   |          | = | \$750.00   |

☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

Atty. Dkt. No. DALHO1290-1  
(028614-1102)

|                                     |   |            |          |
|-------------------------------------|---|------------|----------|
| <input checked="" type="checkbox"/> | Extension for response filed within the first month:      | \$110.00   | \$110.00 |
| <input type="checkbox"/>            | Extension for response filed within the second month:     | \$410.00   | \$0.00   |
| <input type="checkbox"/>            | Extension for response filed within the third month:      | \$930.00   | \$0.00   |
| <input type="checkbox"/>            | Extension for response filed within the fourth month:     | \$1,450.00 | \$0.00   |
| <input type="checkbox"/>            | Extension for response filed within the fifth month:      | \$1,970.00 | \$0.00   |
| EXTENSION FEE TOTAL:                |   |            | \$110.00 |
| CLAIMS AND EXTENSION FEE TOTAL:     |   |            | \$860.00 |
| <input checked="" type="checkbox"/> | Small Entity Fees Apply (subtract 1/2 of above):          |            | \$430.00 |
| <input type="checkbox"/>            | Suspension of action requested under 37 C.F.R. § 1.103(c) |            | \$0.00   |
| TOTAL FEE:                          |   |            | \$430.00 |

☒ Please charge Deposit Account No. 50-0872 in the amount of \$430.00. A duplicate copy of this transmittal is enclosed.

☐ A check in the amount of \$\_\_\_\_\_ to cover the filing fee is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date: August 25, 2003

FOLEY & LARDNER  
Customer Number: 30542



30542

PATENT TRADEMARK OFFICE

Telephone: (858) 847-6711  
Facsimile: (858) 792-6773

By Stephen E. Reiter

Stephen E. Reiter  
Attorney for Applicant  
Registration No. 31,192

AUG. 25. 2003 3:23PM

858 792-6773 FOLEY AND LARDNER

NO. 4057 P. 1

# FOLEY & LARDNER

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Total # of Pages: 8 (including this page)

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|                                     |
|-------------------------------------|
| From : Stephen E. Reiter <i>SR</i>  |
| Sender's Direct Dial : 858.847.6711 |
| Date : August 25, 2003              |
| Client/Matter No : 028614-1102      |
| User ID No : 1877                   |

### MESSAGE:

#### OFFICIAL

Re: Application Serial No. 09/700,625

Following are:

Request for Continued Examination (RCE) (3 pgs., in dupl.. = 6 pgs.);  
Petition for Extension of Time (1 pg.).

If there are any problems with this transmission or if you have not  
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